

Serial No. 09/923.552
Attorney Docket No. JBP-562
Page 2 of 5

A
cont.

raised elements on at least one surface of the substrate, wherein the article is useful for providing skin or hair care benefits; wherein (i) the substrate is selected from the group consisting of a woven fabric, a knit fabric, a nonwoven fabric, a laminate of a fabric and a polymeric film, a flocked fabric, and combinations thereof; (ii) the substrate has a basis weight ranging from about 20 grams per meter to about 500 grams per square meter; and (iii) the discrete raised elements have a diameter ranging from about 0.5 mm to about 3 mm.

Please cancel claims 2, 6 and 8.

Remarks

I. Status of the Claims

Claims 1, 3-5, 7 and 9-15 are pending in this application. Claim 1 has been amended to more clearly define that which Applicants consider to be their invention. Support can be found in original claims 2, 6 and 8.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page(s) is/are captioned "Version With Markings To Show Changes Made."

II. The Rejection Under 35 U.S.C. § 102

The Examiner has rejected claims 1, 3, 4, 7 and 9-15 as allegedly anticipated by RD 382014A ("Research Disclosure"). Applicants respectfully traverse this rejection.

The Research Disclosure relates to textured wipe substrates for removal of bowel movements ("BM") from skin. The texture is taught as having a scoop-shaped, loop or "m" shape to facilitate removal of BM. There is no teaching or suggestion of the dry textured article of Applicants claimed invention for providing skin or hair benefits. Also, there is no teaching or suggestion in the Research Disclosure of the specific substrate, basis weight and diameter of discrete elements now recited by the claims. Accordingly, the Research Disclosure cannot anticipate the present claims.

Serial No. 09/923.552
Attorney Docket No. JBP-562
Page 3 of 5

III. Claim Rejections 35 U.S.C. § 103

A. *The Rejection of Claims 1, 3, 4, 7, and 9-15 Over RD 382014 A*

The Examiner has rejected claims 1, 3, 4, 7 and 9-15 as allegedly unpatentable over RD 382014A). Applicants respectfully traverse this rejection.

As discussed above, the Research Disclosure fails to teach or suggest a textured article of Applicants claimed invention for providing skin or hair benefits. Also, there is no teaching or suggestion in the Research Disclosure of the specific substrate, basis weight and diameter of discrete elements now recited by the claims. Accordingly, Applicants respectfully request withdrawal of this rejection.

B. *The Rejection of Claims 2 and 6 Over RD 382014 A in view of Pung*

The Examiner has rejected claims 2 and 6 over RD 382014A in view of International Patent Application No. WO 9925318 ("Pung"). Applicants respectfully traverse this rejection.

The Examiner recognizes that the Research Disclosure does not teach the type of material that composed the substrate and relies upon Pung to cure this deficiency. Applicants respectfully traverse.

Applicants note that claims 2 and 6 have been canceled and the limitations thereof incorporated into claim 1. As discussed above, Research Disclosure fails to teach or suggest Applicant's' claimed invention relating to a dry textured article comprising:

a substrate having at least two surfaces; and

raised elements on at least one surface of the substrate, wherein the article is useful for providing skin or hair care benefits; wherein (i) the substrate is selected from the group consisting of a woven fabric, a knit fabric, a nonwoven fabric, a laminate of a fabric and a polymeric film, a flocked fabric, and combinations thereof; (ii) the substrate has a basis weight ranging from about 20 grams per meter to about 500 grams per square meter; and (iii) the discrete raised elements have a diameter ranging from about 0.5 mm to about 3 mm.

Pung fails to remedy the deficiencies of Research Disclosure in that there is no teaching or suggestion of the discrete raised elements having a diameter ranging from about 0.5mm to about 3 mm. Accordingly, Applicants respectfully request withdrawal of this rejection.

Serial No. 09/923.552
Attorney Docket No. JBP-562
Page 4 of 5

C. The Rejection of Claims 5 and 8 Over RD 382014 A

The Examiner has rejected claims 5 and 9 as allegedly unpatentable over RD 382014. As discussed above, the Research Disclosure fails to teach or suggest all of the claim limitations now recited in claim 1. Accordingly, Research Disclosure cannot render claims 5 and 8 unpatentable and the rejection should be withdrawn.

D. The Rejection of Claim 12 in over RD 382014 A in view of Thomas.

The Examiner has rejected claim 12 as allegedly unpatentable over RD 382014. As discussed above, the Research Disclosure fails to teach or suggest all of the claim limitations now recited in claim 1. Accordingly, Research Disclosure cannot render claims 5 and 8 unpatentable and the rejection should be withdrawn.

IV. Conclusion

Applicants believe that the foregoing presents a full and complete response to the outstanding Office Action. An early and favorable response to this Amendment is earnestly solicited. If the Examiner feels that a discussion with Applicants' representative would be helpful in resolving the outstanding issues, the Examiner is invited to contact Applicants' representative at the number provided below.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 10-0750/JBP-562/EMH. If a fee is required for an Extension of time 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,



Erin M. Harriman
Reg. No. 40,410
Attorney for Applicants

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(732) 524-3619
February 3, 2003

Serial No. 09/923.552
Attorney Docket No. JBP-562
Page 5 of 5

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

- 2 Claim 1 (amended). A dry textured article comprising:
a substrate having at least two surfaces; and

raised elements on at least one surface of the substrate, wherein the article is useful for providing skin or hair care benefits; wherein (i) the substrate is selected from the group consisting of a woven fabric, a knit fabric, a nonwoven fabric, a laminate of a fabric and a polymeric film, a flocked fabric, and combinations thereof; (ii) the substrate has a basis weight ranging from about 20 grams per meter to about 500 grams per square meter; and (iii) the discrete raised elements have a diameter ranging from about 0.5 mm to about 3 mm.